

REMARKS / ARGUMENTS

Applicant thanks the Examiner for the careful review of this application. Claims 1-6 and 8-30 are pending in this application. Claims 1-6 and 8-30 have been rejected by the Office Action.

Applicants request a more definite and detailed statement of any rejections over Wendkos, either any rejections maintained or any other rejections made in view of this response. Applicants submit that the Wendkos reference is not anticipatory and does not contribute to any combination which renders the claims obvious. However, in light of the rejections presented in the Office Action, Applicants remain unclear as to the basis for rejection over Wendkos. Accordingly, Applicants request such additional detail. Additionally, Applicants have not attempted to determine if the filing dates of the present application and the cited art properly render the cited art as prior art. In view of the arguments presented, Applicants consider this issue moot, but Applicants do not acquiesce to a finding that all of the references constitute proper prior art.

Claim Rejections – 35 USC §102

Claims 1-4, 9-11, 14, 18-19, and 27-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Wendkos (US 5,983,196). Applicants respectfully traverse this rejection.

Applicants claim:

1. A method for providing a game redemption system, the method comprising: allowing a game to be played in exchange for a monetary input; awarding either prize credits or one or more merchandize prizes based on an event that is associated with play of the game; and allowing a redemption of the prize credits or the one or more merchandize prizes using either a video selection interface screen or a prize-selection mechanism that is associated with the game redemption system.
2. A method for providing a game redemption system, the method comprising:

allowing a game from a plurality of games to be played in exchange for monetary input;
based upon play of said game, awarding at least one form of prize selected from a group comprising:
prize credits;
merchandise prizes;
allowing redemption of said prize credits and merchandise prize by displaying information from websites corresponding to a plurality of centralized servers that coordinate and regulate prize distribution.

Thus, Applicants claim “allowing a game to be played in exchange for a monetary input” and “allowing a game from a plurality of games to be played in exchange for monetary input” in claims 1 and 2 respectively. The Office Action states this is shown at col. 16, line 66 to col. 17, line 2 of Wendkos – which states “When the processing of the award information has been completed, program interactive execution continues (2840) and the user will have been rewarded for playing and/or purchasing the game.” Applicants submit that this portion of Wendkos fails to meet the claim requirement. Namely, Applicants are allowing a user to play a game in exchange for payment – a pay-per-use type of model. At most, Wendkos in the cited statement shows that a user may purchase a game (suggesting the game is now owned by a user and can be played at will).

Applicants further claim “allowing a redemption of the prize credits or the one or more merchandise prizes using either a video selection interface screen or a prize-selection mechanism that is associated with the game redemption system[.]” in claim 1. Applicants do not see a corresponding citation to Wendkos for this portion of claim 1, and thus submit that it has not been shown in the Office Action.

Applicants claim “allowing redemption of said prize credits and merchandise prize by displaying information from websites corresponding to a plurality of centralized servers that coordinate and regulate prize distribution[.]” in claim 2. The Office Action cites Wendkos at col. 16, lines 63-66, which states in relevant part “When that occurs, the user can be

connected to interactive platform 110 over the network (2820) where an award processing protocol will be executed (2830) such as ones described above.” Applicants submit that this language provides no indication that the Wendkos system is “displaying information from websites” as required by the claim. Furthermore, it is not apparent from this citation whether the award processing protocol relates to redemption (or just to recording a reward), and whether the network involves “a plurality of centralized servers that coordinate and regulate prize distribution.”

Furthermore, Applicants note that integral to the Wendkos system is use of telephone time as a prize. See, e.g., col. 2, lines 46-60. The telephone time is awarded in the form of an immediate connection to a phone number of the user’s choice when it is redeemed. See id. This teaches away from (claim 2) displaying information from websites about prizes (it would not be displayed on the phone) and (claim 1) “allowing a redemption of the prize credits or the one or more merchandize prizes using either a video selection interface screen or a prize-selection mechanism that is associated with the game redemption system.” A telephone is not associated with the system in Wendkos – it is shown as a separate apparatus in Fig. 1.

It also appears that the Office Action is relying on Official Notice (not explicitly) that the Internet is composed of a plurality of servers interconnected with the interactive computing platform utilized to manage and regulate prize distribution. These bare statements do not allow for evaluation of how one would combine the Officially Noted technology with the Wendkos reference – in particular how one would overcome limitations in the Wendkos system. Applicants submit that this statement must be substantiated with a prior art reference, and request that any future Office Actions do so, thereby allowing evaluation of any appropriate combination of references.

With respect to the remaining claims, it is submitted that each claim is dependent on claim 2, either directly or indirectly, and thus is likewise not anticipated. However, Applicants provide here some examples of further distinctions between Wendkos and various dependent claims. For example, Claim 4 is rejected based on accruing and redeeming long distance telephone time. Applicants submit that this does not relate to claim 4 (display of information about prizes).

Claims 14 and 18-19 are rejected based on col. 14, line 61 through col. 15, line 9. This portion of Wendkos relates to awards and specifically relates to awarding phone time by allowing a user to immediately use that phone time (similarly to what is described above). Based on this, Applicants understand this to refer to use of a phone to access the award information (and to immediately use telephone time). However, claims 14 and 18 relate to redeeming prizes at the device where the game is played – and thus not a telephone. With respect to claim 19, Applicants request a further statement of the rejection, as Applicants do not see how this system applies to this claim.

Claim Rejections – 35 USC §103

Claims 5-6, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wendkos (US 5,983,196). For reasons stated above, Applicants submit that this rejection is rendered moot. However, Applicants note that the Office Action relies on statements of Official Notice with respect to claim 5, and with respect to claims 6 and 8. These bare statements do not allow for evaluation of how one would combine the Officially Noted technology with the Wendkos reference – in particular how one would overcome limitations in the Wendkos system. Applicants submit that these statements must be substantiated with prior art reference(s), and request that any future Office Actions do so, thereby allowing evaluation of any appropriate combination of references.

Claims 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wendkos (US 5,983,196) in view of Schneier (US 5,768,382). For reasons stated above, Applicants submit that this rejection is rendered moot. Applicants do not acquiesce to the combination with Schneier or the citations to Schneier, and have not attempted to further evaluate this rejection. However, Applicants submit that any combination with Schneier must take into account all of the teachings of both references, particularly where these references may be in conflict and thus inappropriate for combination.

Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wendkos (US 5,983,196) in view of Atkins (US 5,644,727). For reasons stated above, Applicants submit that this rejection is rendered moot. Applicants do not acquiesce to the combination with Atkins or the citations to Atkins. In particular, the citation to Atkins refers to a passage related to checking a credit card number, but does not refer to extracting data from a credit card. Applicants further submit that any combination with Atkins must take into account all of the teachings of both references, particularly where these references may be in conflict and thus inappropriate for combination.

Claims 15-17 and 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wendkos (US 5,983,196) in view of Cohen (US 5,231,568). For reasons stated above, Applicants submit that this rejection is rendered moot. Applicants do not acquiesce to the combination with Cohen or the citations to Cohen, and have not attempted to further evaluate this rejection. However, Applicants submit that any combination with Cohen must take into account all of the teachings of both references, particularly where these references may be in conflict and thus inappropriate for combination. For example, Cohen appears to relate to a device used in a retail establishment, and solely for redemption of prizes in the retail establishment, thus negating the idea of prizes of long distance phone time.

Conclusion

Applicants submit that each of the rejections has been overcome or is rendered moot in light of the remarks submitted. Applicants request allowance of the application forthwith. If in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned or Mr. Paul L. Hickman at (650) 293-3352. The United States Patent Office is hereby authorized to charge any deficiency and credit any overage to Deposit Account No. 50-3539.

Respectfully Submitted,
TIPS GROUP

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Glenn E. Von Tersch, Reg. No. 41,364

Correspondence Address:
Customer No. 45965